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1/10/2013

WQC number: 830-0094A1-WQC-1

Public Notice

Closing Date:
2/9/2013

This letter serves as the formal notice of the receipt of an application for a Section 401 Water Quality Certification by the Kentucky Division of Mine Permits (KDMP). The purpose of this notice is to inform the public of active applications awaiting certification under Section 401 of the Clean Water Act (33 U.S.C. § 1341) and to solicit comments and information on any impacts to water quality as it related to the specific project. DMP will evaluate whether the project complies with Kentucky's water quality standards.

The comment period will run for 30 days, as is indicated in the upper portion of this notice. Any person who wishes to comment or receive information pertaining to the pending WQC application, must contact the WQC coordinator at 502 564-2320, or submit comments to: Water Quality Certification 2 Hudson Hollow, Frankfort KY 40601, within the 30 day comment period. All comments will be reviewed and water quality issues will be considered during the review process.

The public may review the detailed Compensatory Mitigation Plan at the Division of Mine Permits office at: #2 Hudson Hollow Frankfort, KY 40601

**Commonwealth of Kentucky
Department for Natural Resources
Division of Mine Permits**

Application for Water Quality Certification for Surface Coal Mining Activities

The Clean Water Act Section 401 Water Quality Certification (WQC) program in Kentucky ensures that activities which may involve a discharge into waters of the Commonwealth which require federal permit or license are consistent with Kentucky's water quality standards in 401 KAR Chapter 5. The Energy and Environment Cabinet has authorized the Department for Natural Resources to issue water quality certifications related to surface coal mining operations. The project may not start until all necessary approvals are obtained. For questions concerning the WQC process, contact the WQC Coordinator at (502)-564-2320.

1. **Applicant Name:** Western Kentucky Minerals, Inc.
Mailing Address's. P. O. Box 155 Philpot, KY42366
Contact Person: Anthony V. Lanham
Telephone No: (270) 686-2662
E Mail Address: N/A

2. **Consultant Name & Address:** Timothy W. Rhye P.O. Box 155 Philpot KY, 42366

Telephone No. (270) 779-3787
E Mail Address: trhye@bellsouth.net

3. **Provide a brief description of the proposed activity and stream impact.**
The proposed project involves disturbances related to a surface coal mining operation. These will involve excavation or fill of approximately 710. linear feet of streams.

4. **Project Location Information:**

County Daviess; **USGS Quadrangle Name** Maceo, KY

Nearest Community & Road Intersection:

Knottsville, KY and intersection of Ridge Road and Knottsville-Mt.Zion Road,

Longitude 37°-46'-46"Latitude 86°-53'-41" (Approximate center of the project area)

5. **List the names of all streams affected by the proposed project:**

Stream No.4 Minor Tributaryto StreamNo.1

6. For each affected watershed provide the acreage above the toe of the lowest permanent structure. There are no proposed permanent silt control structures. See Section No. 1 of the Baseline Information in the Corps of Engineer's 404 application.
7. For each affected stream provide the linear feet of impact, whether the impact is temporary or permanent and indicate if the stream reach is classified as ephemeral, intermittent, or perennial.
Stream #4 = additional 710' Intermittent.
8. Provide the acreage of wetlands that would be impacted: -0-
9. Beginning at the nearest intersection of two public roads, provide directions to the project site:
Travel 9.8 miles east of Owensboro, KY on Hwy 144 to the community of Knottsville. Turn left (north) on Free Silver Road. Travel north 0.7 miles to project site east and west of Free Siler Road.
10. Has application been submitted to the U.S. Army Corps of Engineers for this project? Yes X No _____. If yes, indicate type of application:

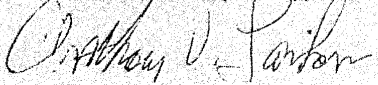
NW 12 ____ NW 14 ____ NW 21 ____ NW 27 ____ NW 49 ____
NW 50 ____ Individual X Other _____
11. Provide the following permit numbers associated with this mining activity:
KY-DNR No. 830-0094, Amendment #1
KPDES General Permit No. KYG046668
USACOE LRL-2010-1210A-dah
12. The following attachments must be provided:
- a. A watershed map showing all ponds and hollowfills to scale with all intermittent, and perennial stream reaches clearly identified.
 - b. A 7.5 minute topographic map delineating the proposed project area.
 - c. A copy of the complete Compensatory Mitigation Plan

List all other plans and profiles included with this application:

All maps, Stream locations maps, Cross-Sections and Profiles, Mine Map, project location and a complete Mitigation Plan with Stream Location Map from the Corps of Engineers 404 application.

I hereby request approval for construction across or along a stream as described in this application and supporting attachments. All of the information provided with this application is true and accurate to the best of my belief and knowledge.

Applicant's Signature:

E-Signed by McEwen Engineering
VERIFY authenticity with ApproveIt


Date: 12/05/2012

If signed by applicant's agent, attach power of attorney

SUBMIT APPLICATION AND ATTACHMENTS TO:

**WQC COORDINATOR
DIVISION OF MINE PERMITS
#2 HUDSON HOLLOW
FRANKFORT, KENTUCKY 40601**

